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Filing date: **11/02/2017**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92066968
Party	Defendant Software Freedom Conservancy
Correspondence Address	SOFTWARE FREEDOM CONSERVANCY 137 MONTAGUE STREET SUITE 380 BROOKLYN, NY 11201 UNITED STATES
Submission	Answer
Filer's Name	Pamela S Chestek
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Date	11/02/2017
Attachments	Answer.pdf(250492 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Registration No. 4212971
Mark: SOFTWARE FREEDOM CONSERVANCY
Registration date: September 25, 2012

Software Freedom Law Center

Petitioner,

v.

Software Freedom Conservancy

Registrant.

Cancellation No. 92066968

ANSWER

Registrant Software Freedom Conservancy, by its counsel, responds as follow to the Petition to Cancel:

1. Registrant lacks knowledge and information sufficient to form a belief as to the allegations of Paragraph 1 of the Petition to Cancel and therefore denies the same.
2. No response required. The registration speaks for itself.
3. Registrant lacks knowledge and information sufficient to form a belief as to the allegations of Paragraph 3 of the Petition to Cancel and therefore denies the same.
4. Denied.
5. Denied.
6. Denied.
7. Admitted.
8. Registrant lacks knowledge and information sufficient to form a belief as to the allegations of Paragraph 8 of the Petition to Cancel and therefore denies the same.
9. Admitted.

10. Admitted, except that the Registrant's certificate of incorporation was filed on March 20, 2006 and was accepted and sealed by the New York Department of State on April 7, 2006.
11. Admitted.
12. Admitted.
13. Admitted.
14. Admitted, except that Mr. Kuhn became Executive Director on October 1, 2010.
15. Admitted.
16. Admitted.
17. No response is required. There is no allegation in Paragraph 17.
18. Denied.
19. Registrant lacks knowledge and information sufficient to form a belief as to the allegations of Paragraph 19 of the Petition to Cancel and therefore denies the same.
20. Denied.
21. Denied.
22. Registrant lacks knowledge and information sufficient to form a belief as to the allegations of Paragraph 22 of the Petition to Cancel and therefore denies the same.
23. Denied.
24. Denied.
25. Admitted.
26. Admitted.
27. Admitted.
28. Admitted.
29. Admitted.
30. Admitted.

31. Admitted.

32. Admitted, except that the statement was made by the signatory, not the Registrant.

AFFIRMATIVE DEFENSES

1. Petitioner's claim fails to state a claim upon which relief can be granted.

1. Petitioner's claim is barred by the doctrine of unclean hands.

2. Petitioner's claim is barred by the doctrine of laches.

3. Petitioner's claim is barred by the doctrine of estoppel.

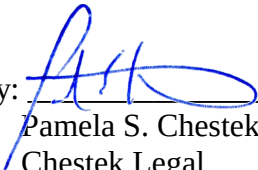
4. Petitioner's claim is barred by the doctrine of acquiescence.

WHEREFORE, Applicant prays that the Petition to Cancel be dismissed and that judgment be entered in favor of Registrant against Petitioner.

Respectfully submitted,

Dated: November 2, 2017

By: _____


Pamela S. Chestek

Chestek Legal

PO Box 2492

Raleigh, NC 27602

Attorney for Registrant

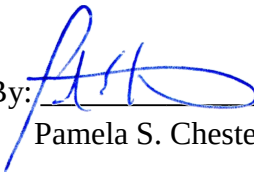
pamela@chesteklegal.com

Certificate of Service

I hereby certify that a true and complete copy of the foregoing Answer has been served on Software Freedom Law Center by mailing said copy on November 2, 2017, via electronic mail to:

Daniel Byrnes
Software Freedom Law Center
1995 Broadway, 17th Floor
New York, NY 10023

Email: dbyrnes@softwarefreedom.org

By:  _____
Pamela S. Chestek